

does your house have condensation, mold or poor ventilation?

Condensation or inadequate ventilation can lead to pervasive mold. In houses build during the 60s and 70s, poorly constructed roofs cause leakages that result in wood rot and unhealthy percentages of indoor humidity.

This is often made worse by bad insulation and poor heating capacity. If your house has defects that affect your living quality there are steps you can take to enforce repairs. The first step to access your renters rights is to check whether you have rental protection aka an indefinite time contract. In this way, you can claim your rights without fear of retaliation from your landlord. Refer to our guide: “do you have rental protection?”

1

**do you
have
rental
protetion?**

yes

**continue
to next
slide >>**

no

**Fill in the questionnaire form on the
BPW website and come to our
woonspreekuur so we can draft a
customised strategy to better help you
claim your rights.**

2

Did the problem develop after you moved in?

yes

continue to next slide >>

no

For issues carried over from previous tenants, get a record (photos and a report) of the existing damage BEFORE or soon after you sign the contract. If you do not have that, make this request ASAP so you are not blamed for existing defects that can cause trouble in deposit negotiations.

3

Was the problem caused by yourself or another tenant?

no

**continue
to next
slide >>**

yes

If the repair is the result of damage caused by you or someone else living in the house, then you might be liable to the costs of repair. If you are in doubt, send us an email and find out what your rights are.

4

**Does the issue
require
professional
help?**

→ yes

There are small repairs (minor paintwork, cleaning ventilation filters, unclogging sink) which is tenant's responsibility and large repairs (leakages, wood rot, mold) that are costly or require professional work where your landlord is responsible. BPW can help you with a step plan to get your landlord to fulfill their responsibilities. Find an overview in the next slides.

step 1

REPORT TO LANDLORD

Report the issue to your landlord as soon as possible. If it is an emergency, such as a leakage, no heating or hot water, the landlord has to fix the issue right away or offer compensation. If the issue is less urgent, write an email letter describing the problem and when it started, including photo documentation. Highlight that the issue has to be fixed within 6 weeks. If you do not report the issue in due time, you might be considered liable for consequential damage.

step 2

REPORT TO MUNICIPALITY

If your landlord does not respond in due time or refuses to do the repairs you should report your complaint to the municipality. An inspector from the municipality will assess it and decide whether to send an enforcement letter from the Mayor and Aldermen to your landlord. In that case, if the landlord does not fix your issue, the city will and charge the costs to the landlord.

step 3

REPORT TO HUURCOMMISSIE

Depending on the type of your contract, you can get a binding decision or an advice for rent reduction by the Huurcommissie. The type of contract you have depends on the price of the "kale huur" at the moment that you signed. Before July 2024, there were social and "free sector" housing contracts. After July 2024, there are social, midden-huur and "free sector" housing contracts. Come to one of our woonspreekuur sessions to figure out what type of contract you have .

The Huurcommissie has 3 categories of serious defects and can reduce your rent until the defect is fixed.

Cat A includes having no running water or drainage and can reduce the rent up to 80% per month.

Cat B such as wood rot or mold, leakages due to rain or lack of ventilation reduce the rent up to 70% per month.

Cat C includes severe condensation that results in mold and can reduce your rent up to 60% per month.

The Huurcommissie will only accept your case if your landlord refused or failed to repair the defects. You will need to document the problem well and include documentation of your correspondence with the landlord. In most cases an inspector will contact you and will assess how serious the damage is in order to decide on the amount of rent reduction. After the investigation the landlord and yourself will receive the ruling on how much the price needs to be lowered and for how long. If you have any questions do not hesitate to contact BPW.

step 4

ENFORCEMENT OF HUURCOMMISSIE RULING

If the landlord refuses to the Huurcommissie ruling or if you are in free sector housing and Huurcommissie is not an option you need to go to court. The court will decide who should be liable for the repair. If you are low income the lawyer fees are covered by the local government. Reach out to BPW for advice on this process.

step 5

**ESCALATE! ESCALATE!
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As a tenants union, BPW can help you plan a detailed strategy that includes using your rental protection rights and legal support but also putting pressure on your landlord via our mediation, PR , confrontation and even creative forms of protest. If all tenants are encouraged to stand up for their rights, even more tenants will dare to claim them resulting in better conditions for everyone. Together, we can draft a week-by-week strategy to build leverage against your landlord and claim your housing rights.

BPW is a union for precarious tenants that is based on the principle of solidarity.

The issues that we face as tenants individually are actually systemic, and therefore they require a collective response and solution. Housing justice for all requires education and awareness, making issues visible through public pressure and taking power back through collective action.

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